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TRANSMITTAL FORM

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Total Number Of Pages In This Submission

9

Application Number

09/910,345

Filing Date

July 20, 2001

First Named Inventor

H. Michael Shepard, et al.

Group Art Unit

1645

Examiner Name

Not Yet Assigned

Attorney Docket No.

NB 2017.00

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

Response to Notice to Comply, copy of
Notice to Comply with Requirements dated
6/24/02, paper copy of sequence listing,
computer readable diskette containing
sequence listing and return receipt postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Antoinette F. Konski
McCutchen Doyle Brown & Enersen LLP
Three Embarcadero Center, Suite 1800
San Francisco, CA 94115

Signature

Date

Antoinette F. Konski
July 8, 2002

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent & Trademark Office, attention Box Sequence, P.O. Box 2327, Arlington, VA 22202 on this date:

July 8, 2002.

Peggy Nichols
Peggy Nichols

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52082341.1/23896-7101



Docket No. NB 2017.00

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[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the U.S. Patent & Trademark Office, Arlington, VA 22202.

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Dated: July 8, 2002

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Michael Shepard, et al.

Filing Date: July 20, 2001

Examiner: Not Yet Assigned

Serial No.: 09/910,345

Group Art Unit: 1645

Title: METHODS FOR IDENTIFYING THERAPEUTIC TARGETS
FOR TREATING INFECTIOUS DISEASE

RESPONSE TO NOTICE TO COMPLY

U.S. Patent & Trademark Office
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Dear Sir:

This Response is submitted in reply to the Notice to Comply with Sequence Requirements issued by the U.S. Patent and Trademark Office on June 24, 2002, in connection with the above-identified application. A response to this Notice is due two months from the date of issuance, i.e., on or before August 24, 2002. Accordingly, this Response is timely filed.

The June 24, 2002 Notice, copy attached, indicated that the diskette filed in reply to the original Notice to Comply was unreadable and requested Applicants to submit a new diskette. Enclosed herewith is a replacement diskette having recorded thereon the information submitted with the paper copy, also enclosed herewith. The undersigned hereby states that the

copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825(b), is the same as the paper copy.

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1189**, billing reference number **23896-7101**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date: July 8, 2002

By: 

Antoinette F. Konski

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/910,345	07/20/2001	H. Michael Shepard	NB 2017.00

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San Francisco, CA 94111



CONFIRMATION NO. 4437

FORMALITIES LETTER



OC000000008336679

Date Mailed: 06/24/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

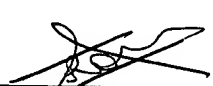
Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
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*A copy of this notice **MUST** be returned with the reply.*


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